HENRY E. THOMAS IV NOMINATION

HEARING

BEFORE THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

FIRST SESSION

ON THE

NOMINATION OF HENRY E. THOMAS IV, TO BE ASSISTANT SECRETARY OF ENERGY FOR INTERNATIONAL AFFAIRS

SEPTEMBER 24, 1981

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HENRY E. THOMAS IV NOMINATION

THURSDAY, SEPTEMBER 24, 1981

U.S. SENATE,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The committee met, pursuant to notice, at 9:35 a.m. in room 3110, Dirksen Office Building, Hon. James A. McClure, chairman, presiding.

Present: Senator McClure.

Also present: Charles A. Trabandt, chief counsel; and D. Michael Harvey, chief counsel for the minority.

OPENING STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

The CHAIRMAN. The committee will come to order.

This morning the Committee on Energy and Natural Resources is holding a hearing on the nomination of Henry E. Thomas IV to be Assistant Secretary of Energy for International Affairs.

Mr. Thomas was born in Charlotte, N.C., and graduated from the Virginia Military Institute in 1959. He has a masters degree in international affairs and has done graduate work in Sino-Soviet affairs. He served for 10 years in the U.S. Marine Corps before becoming a senior analyst with the Defense Nuclear Agency.

Mr. Thomas' experience includes Government service as Assistant Director of the U.S. Price Commission and as part of the senior policy staff within the Environmental Protection Agency.

Mr. Thomas, I welcome you to the committee this morning.

Mr. THOMAS. Thank you.

The CHAIRMAN. Senator Warner planned to introduce you this morning and due to other commitments and the change in the hour, he was unable to be here but he has submitted a statement for the record which will be inserted into the record at this time.

[The prepared statement of Senator Warner follows:]

STATEMENT OF HON. JOHN W. WARNER, A U.S. SENATOR FROM THE STATE OF VIRGINIA

Mr. Chairman, it is my pleasure to introduce Mr. Henry E. Thomas to the Committee. Mr. Thomas has been nominated by the President to serve as Assistant Secretary of Energy for International Affairs. In this capacity, Mr. Thomas will be charged with the responsibility to ensure that the nation's international energy policies and programs conform with our national goals, legislation, and treaty obligations. He will also assist the Secretary in providing the President with independent technical advice on international energy negotiations.

Mr. Thomas was born in Charlotte, North Carolina and has resided in many countries throughout the world. He received a BA degree from Virginia Military Institute in Lexington, Virginia and a master's degree in international affairs from the

University of New Mexico. His graduate studies include work in Sino-Soviet Affairs at George Washington University as well as specialized course work at the Defense Intelligence School, the Foreign Service Institute, the Military Assistance Institute, the U.S. Atomic Energy Commission, and the Defense Nuclear Agency.

Mr. Thomas has served in the United States Marine Corps, with assignments in the intelligence community and with the Defense Nuclear Agency. He currently holds the rank of Lt. Colonel in the Marine Reserve.

Previously, Mr. Thomas has been employed by Electronic Data Systems Corporation in the area of governmental liaison.

From 1971 to 1973, he served as Assistant Director of the Price Commission in the Executive Office of the President. Since 1973, he has served with the Environmental Protection Agency in the policy area.

Mr. Thomas is, in addition to his other splendid qualifications, a Virginian, not only by education, but by choice, residing as he does in Alexandria with his wife and two children.

Mr. Chairman, I am pleased to present Henry Thomas to the Committee for our consideration.

The CHAIRMAN. The rules of the committee which apply to all nominees require they be sworn in connection with their testimony. Would you please rise and raise your right hand.

[Whereupon, Henry E. Thomas IV was duly sworn by the chairman.]

The CHAIRMAN. Before you begin with your statement, there are four questions addressed to all nominees for positions within the administration who appear and testify before this committee. I would like to ask those four questions of you.

Will you be available to appear before this committee and other congressional committees to represent departmental positions and respond to issues of concern to the Congress?

Mr. THOMAS. I will.

The CHAIRMAN. Your informational statement has been submitted to the committee. It is required this statement be made public unless the committee decides special circumstances justify an exception.

Do you have any objection to the publication of the informational statement?

Mr. THOMAS. I do not.

The CHAIRMAN. Are you aware of any personal holdings, investments, or interests that could constitute a conflict of interest or create the appearance of such a conflict should you be confirmed and assume the office for which you have been nominated by the President?

Mr. THOMAS. I do not.

The CHAIRMAN. Are you involved or do you have any assets held in blind trust?

Mr. THOMAS. I do not.

The CHAIRMAN. We have your prepared statement. You may read your statement or summarize your statement. Your prepared statement will be made a part of the record.

STATEMENT OF HENRY E. THOMAS IV, NOMINEE TO BE ASSISTANT SECRETARY OF ENERGY FOR INTERNATIONAL AFFAIRS

Mr. THOMAS. Thank you, Mr. Chairman. I am greatly honored to appear before you as President Reagan's nominee for the position of Assistant Secretary of the Department of Energy for International Affairs.

In the interest of time and inasmuch as my biographical information will be made a part of the record and you have already been gracious enough to relay some of that, I will move to a summary of some personal views with respect to the position of Assistant Secretary for International Affairs and its responsibilities.

Mr. Chairman, at the outset I want to recognize the strong interest this committee has historically had in leading and formulating international energy policy.

I would like to take the opportunity, Mr. Chairman, to note your emphasis and that of Senator Jackson on this subject at the nomination hearing of Secretary Edwards.

I have carefully reviewed the Department of Energy Organization Act that establishes the duties of the Secretary of Energy relative to international energy matters and the record of that hearing.

I want to emphasize my support of your understanding of the Secretary of Energy's role, a role which I will be fully responsive to.

Mr. Chairman, if confirmed I will be privileged to represent an administration which has already taken significant steps to strengthen America's energy position at home and abroad.

Commercial nuclear power should be an important component of the energy supply of the future. President Reagan's announcement of July 16 committed this administration to be a reliable and secure commercial nuclear fuel supplier.

I would like to acknowledge the role of this committee, Mr. Chairman, you, Senator Jackson and other members on the related and most important issue of nonproliferation and your statements at the time of the President's statement on nonproliferation.

Constant vigilance will be obligatory to assure that the intended recipients of commercial nuclear fuel conform to international security standards and to our bilateral agreements in order to prevent the spread of nuclear weapons.

If confirmed, I intend to lend my best efforts to strengthening the Reagan administration's energy policy by working with other nations to develop international approaches which complement and reinforce our domestic efforts.

The establishment and maintenance of stable energy supplies in an open market environment will I believe play a vital role in enhancing the economy and security of all nations.

One of the first acts of President Reagan on assuming office was to end oil price control. This market oriented approach provides domestic producers and consumers the incentives to increase energy production and efficiency while simultaneously decreasing our vulnerability to foreign oil supply interruption.

Although we are heartened by the presently favorable oil market, this fortuitous circumstance can change suddenly. The range of events that could cause such a change and the form of the resulting difficulties which could face the United States and its allies and friends are exceedingly large.

Notwithstanding this, to reduce our vulnerability and that of other importer nations from serious energy supply interruptions is an immediate task domestically and internationally which I will vigorously work to achieve.

I will encourage market incentives to increase U.S. trade in steam coal. Government's role should be that of reducing unnecessary and counterproductive restrictions and barriers to such trade.

President Reagan has given high priority to enhancing our relations with Mexico and Canada. Energy issues are a most important element in these relationships. I will work to promote closer hemispheric cooperation and at the same time promote and protect U.S. business and consumer interests.

The complexity and diversity of the domestic problems we face in assuring our energy security are substantial. They are compounded when placed on the international stage. Domestically the unifying element in solving our problems must inevitably be our national security and economic well being.

Internationally we repeatedly proclaim the same elements yet we are often reluctant to accept that this involves a measure of dependence. We must therefore take care not to desert principles we know to be sound for expediencies of the moment. Neither should we be too sensitive to what others tell us cannot be done or too aware of criticism.

I look forward to the opportunity to serve our country and our President if I am confirmed. I would look particularly, Mr. Chairman, to you and other members of this committee for your advice and counsel.

I thank you for your consideration and would be pleased to respond to your questions.

[The prepared statement of Mr. Thomas follows:]

TESTIMONY

of

MR. HENRY E. THOMAS

Mr. Chairman and distinguished members of the Committee, I am greatly honored to appear before you as President Reagan's nominee for the position of Assistant Secretary of the Department of Energy for International Affairs.

Before providing you with some personal views on international energy matters, permit me to summarize my qualifications and experience relevant to the position for which you are considering me.

My experience covers a range of activities and interests which have, I believe, prepared me for the responsibilities of this position. I have resided in Europe, Latin America and the Far East. My academic background includes studies in history, economics, political science, international affairs and languages, as well as specialized work in foreign area studies, cross-cultural communications, foreign intelligence and technical matters in the nuclear field. My professional career has included related work in foreign assistance, foreign capability assessments, bi-lateral and multi-lateral consultations and negotiations. I have also been involved in the formulation and implementation of national programs having international implications.

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I have managed highly skilled, multi-disciplinary staffs. I have experience in working policy issues through the executive branch process while remaining mindful of the enabling, and often directive, statutory imperatives; this, while endeavoring to be responsive to the interests and expertise of affected industry, public and private organizations and state and local governments.

My personal focus throughout my academic and professional life has been oriented to economic and trade matters and to the national security.

I should like to turn now, Mr. Chairman, to some personal views as to the responsibilities incumbent on this position and on international energy matters.

If confirmed, I will be privileged to represent an Administration which has already taken significant steps to strengthen this Nation's energy position at home and abroad, and thus enhance its economy and national security.

Commercial nuclear power should be an important component of the energy supply of the future. The nuclear policy of the past

several years of the United States Government has been a source of significant difficulties for some of our closest allies. As President Reagan announced on July 16, this Administration is committed to re-establishing United States credibility as a reliable and secure commercial nuclear fuel supplier. To accomplish this it will be necessary for the Government to handle requests for nuclear exports and retransfers expeditiously and efficiently. Constant vigilance will be obligatory to assure that the intended recipients conform to international security standards, and to our bilateral agreements, in order to prevent the spread of nuclear weapons.

The growth of commercial nuclear power as a major energy source is, I believe, dependent largely on citizens' confidence that the public health and safety is assured throughout all stages of the fuel cycle - from fuel fabrication to power generation to waste disposal and reprocessing - and that the unauthorized diversion of commercially intended materials to weapons fabrication will not occur. This must be dealt with internationally as well as domestically.

Our friends and allies look to the United States for leadership in the critical area of nuclear energy. We must not disappoint them.

One of the first acts of President Reagan on assuming office was to end oil price controls. This market-oriented approach provides domestic producers and consumers the incentives to increase energy production and efficiency, while simultaneously decreasing our vulnerability to foreign oil supply interruptions. From the time oil price controls were imposed, our allies and trading partners pressed us to remove them. They knew well what the United States was slow to accept - that these controls served not only to increase U.S. oil imports and our dependence thereon, but also to impose upwards pressure on the world price of oil, thus impairing the economic fortunes of all oil importing nations.

The energy needs of oil-importing developing countries, particularly our close neighbor nations in the Caribbean Basin, cannot be disregarded. The economic impact of ever higher priced oil imports on many of these nations has been serious. The free world has the private sector expertise and capital to increase and diversify energy production in the developing countries. The private sector can also show the way in developing alternate technologies and in energy conservation.

Although we are heartened by the presently favorable oil market, this fortuitous circumstance can change suddenly. The range of events that could cause such a change, and the form of the resulting difficulties which could face the United States and its allies and friends, are exceedingly large. Notwithstanding this, to reduce our vulnerability and that of other importer nations to serious energy supply interruptions is an immediate task, domestically and internationally, which I will vigorously work to achieve.

As we continue the accelerated fill of our own strategic petroleum reserve, I would encourage other governments and private sector interests to build additional safety stocks. Such reserves are, I believe, the best possible way to temper the immediate adverse effects of a serious disruption. I would expect to work closely with those responsible for meeting our domestic needs in such serious disruptions, to assure that our international obligations are met, while conveying to our energy interdependent allies our domestic policies which form the basis for our positions on international energy matters.

I will encourage market incentives to increase U.S. trade in steam coal. Governments' roles should be that of reducing unnecessary and counterproductive restrictions and barriers to such trade.

The approach to international R&D projects will be a matter which I would expect to approach on the basis that the market provides adequate incentives for the development and implementation of most new technologies. I shall support the U.S. Government's efforts toward those technologies where there is demonstrably high risk, and where, therefore, the private sector cannot be expected to fully shoulder the burden. In entering into such efforts, however, there must be reasonable expectation of a high technical pay-off to justify investment of the taxpayers' monies. Commitments will be made with the intention of completion.

President Reagan has given high priority to enhancing relations with Mexico and Canada. Energy issues are a most important element in these relationships. I will work to promote closer hemispheric cooperation and at the same time promote and protect United States business and consumer interests. Energy trade with our next door neighbors, as with other nations, should be governed by market principles and by reciprocity.

Strengthening our ties with the other industrial democracies is a basic tenet of President Reagan's foreign policy. Energy supply is one of the principal issues confronting these nations and we will cooperate on this, as well as on other critical economic, political, and security matters.

The United States has important, multifaceted relationships with such major oil exportors as Saudi Arabia, Mexico, Venezuela, Nigeria, Indonesia and others. I will work to enhance these relationships, emphasizing market principles in energy trade and the importance of stable energy supplies to all nations.

If confirmed, I intend to lend my best efforts to strengthening the Reagan Administration's energy policy by working with other nations to develop international approaches which complement and reinforce our domestic efforts. We have learned that the distortions and unpredictable permutations resulting from government intervention in the energy area, no matter how well intentioned, can be counter-productive. Such government intervention should be exercised only when it is essential to the national security.

I will, therefore, work abroad and at home for increasingly flexible energy sources, while emphasizing market-oriented solutions to energy problems. The establishment and maintenance of stable energy supplies in an open-market environment will, I believe, play a vital role in enhancing the economies and security of all nations.

The complexity and diversity of the domestic problems we face in assuring our energy security are substantial. They are compounded when placed on the international stage. Domestically, the unifying element in solving our problems must inevitably be our national security and economic well-being. Internationally, we repeatedly proclaim these self-same elements, yet we are often reluctant to accept that this involves a measure of dependence. We must, therefore, take care not to desert principles we know to be sound for expediencies of the moment, neither should we be too sensitive to what others tell us cannot be done, or too aware of criticism.

I look forward to the opportunity to serve our country and our President if I am confirmed. I thank you for your consideration and would be pleased to respond to your questions.

* * *

The CHAIRMAN. Thank you very much, Mr. Thomas.

As you know, you have been in consultation with staff over some period of time. We have looked at your informational statement with a great deal of care. I am satisfied with the presentation you have made this morning.

Mr. Harvey, do you know of any members on your side that wish to ask questions?

Mr. HARVEY. No, Mr. Chairman.

The CHAIRMAN. I would suggest there may be some questions submitted in writing for answers for the record. I have no questions at this time and I want to compliment you on your appearance this morning and I look forward to working with you in the matters that have a great deal of concern to ourselves and this country and to our friends overseas.

As you know, there has always been and will continue to be some overlapping between the jurisdictional authorities of various committees of the Congress and the same thing is true downtown. We can make neat organizational charts but somehow they have a way of overlapping a little.

We are pleased you have noted the role of the Department of Energy. I know the administration shares that conviction with respect to energy policy that there is an international aspect that is slightly distinguishable from that of other foreign policy considerations and needs a particular direction and the attention of the Department of Energy to fully integrate it with the other initiatives we are involved with.

Thank you very much for your testimony this morning. I have no further questions.

Mr. THOMAS. Thank you, Senator.

[Whereupon, at 9:47 a.m. the hearing was adjourned.]

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APPENDIX

INFORMATIONAL STATEMENT OF HENRY E. THOMAS IV

HENRY E. THOMAS

Henry E. Thomas is Assistant Secretary for International Affairs, Designate, U.S. Department of Energy (DOE). In this position, Mr. Thomas would be responsible for developing, managing, and directing programs and activities related to the international aspects of energy policy. He would ensure that U.S. international energy policies and programs conform with national goals, legislation and treaty obligations, and assist the Secretary in providing the President with independent technical advice on international energy negotiations.

Mr. Thomas has served in the policy area with the Environmental Protection Agency since 1973. His responsibilities included senior staff and line management positions directing multi-disciplinary teams involved in national regulatory actions which encompassed coordination of regulatory issues relating to international trade. Mr. Thomas has represented the United States in several international forums, including the Organization for Economic Cooperation and Development, the Commission of the European Communities, the European Economic Community, and the United Nations Environmental Program.

From 1971 to 1973, Mr. Thomas served as Assistant Director, Price Commission, Executive Office of the President. In that capacity, he directed analytical studies of major U.S. industries, including those related to petroleum production and distribution. Previously, he was with Electronic Data Systems Corporation, responsible for governmental liaison and systems studies coordination. He also served with the U.S. Marine Corps, with assignments in the intelligence community and with the Defense Nuclear Agency in materials production, safeguards, and reactor and weapons design. Mr. Thomas currently holds the rank of Lieutenant Colonel in the Marine Reserve.

Mr. Thomas received a B.A. degree in history and economics from Virginia Military Institute in 1959 and an M.A. degree in international affairs from the University of New Mexico in 1970. His graduate work also includes studies in Sino Soviet Affairs at George Washington University. In addition, he has undertaken specialized course work at the Defense Intelligence School, Foreign Service Institute, Military Assistance Institute, the U.S. Atomic Energy Commission, and Defense Nuclear Agency.

Born in Charlotte, North Carolina, Mr. Thomas has resided in Europe, Latin America, and the Far East. He currently lives in Alexandria, Virginia, with his wife, the former Marian Mellish, and their two children, Evans and Nicholas.

September 1981

UNITED STATES SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES

STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: THOMAS (LAST) HENRY (FIRST) EVANS IV (OTHER)

Position to which nominated: Assistant Secretary of Energy (International Affairs) Date of nomination: July 16, 1981

Date of birth: 15 (DAY) October (MONTH) 1937 (YEAR) Place of birth: Charlotte, North Ca olina

Marital status: Married Full name of spouse: Marian Mellish Thomas

Name and ages of children: Henry Evans Thomas V Age 14

Nicholas Gray Thomas Age 12

Education:

Institution	Dates attended	Degrees received	Dates of degrees
The Virginia Military Institute Lexington, Virginia	1955-59	BA	1959
University of New Mexico Albuquerque, New Mexico	1969-70	MA	1971

Employment record: List below all positions held since college, including the title and description of job, name of employer, location, and dates.

1. Director, Standards & Regulations, Office of Air, Noise & Radiation; Senior Policy Staff, Office of Hazardous Materials Control, U.S. Environmental Protection Agency, Washington, DC May 73-July 81.
2. Asst. Director; Senior Policy Staff; U.S. Price Commission and Cost of Living Council, Executive Office of the President, Washington, DC May 72-May 73.
3. Corporate Staff, Regional Manpower Coordinator, EDS Corp. Washington, DC Jan. 71-May 72.
4. Senior Analyst, Defense Nuclear Agency, Albuquerque, NM Sept. 68-Dec. 70
5. Intelligence and Operations Officer; Infantry Commander, III MAF, Republic of Vietnam, 1967-1968.

Employment Record: (Cont'd)

6. Senior Career Intelligence Officer Course, Defense Intelligence School, Defense Intelligence Agency, Washington, DC 1966-1967.

7. Military Assistance Advisor, Republic of Colombia, Cartagena and Bogota, Colombia, 1964-1966.

8. Student, Military Assistance Institute and Foreign Service Institute, Department of State, Washington, DC 1964-1965.

9. Intelligence Officer and Instructor, Marine Corps Officer Schools, Quantico, VA, 1963-1964.

10. Intelligence and Liaison Officer, 3rd Marine Division, Okinawa and Japan, 1961-1963.

11. Infantry Commander; Operations Officer, 1st Marine Division, Camp Pendleton, California, 1960-1961.

12. Officer-Student, Marine Corps Schools, Quantico, VA, 1959-1960.

13. Central Intelligence Agency, Washington, DC, May-Sept. 1956, June-Sept. 1955.

Employment record—Continued

Military service: Enter all military service if not included above: service, dates, rank, type of discharge.

USMCR 1954-57, Pvt - LCPL. Honorable Discharge

USAR 1957-59, ROTC Cadet. Transferred to USMC

USMC 1959-69, Lt.-Major. Transferred to USMCR

USMCR 1969-Present Lt.Col.

Honors and awards: List below all fellowships, honorary degrees, military medals, honorary society memberships, and any other special recognitions for outstanding service or achievement.

Legion of Merit w/V; Cross of Gallantry w/Oak Leaf (RVN),

Medal of Honor 1st Cl (RVN); Meritorious Service Award, Executive

Office of the President; Silver Medal for Exceptional Service,

U.S. EPA; Who's Who in Colleges & Universities;

Letcher History Award

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, charitable and other organizations.

Organization	Office held (if any)	Dates
Alexandria Hospital Corp.	N/A	1978-Present
American National Standards Institute	Executive Committee Executive Standards Council	1979-Present
U.S. Naval Institue	N/A	1960-1975
Navy Mutual Aid Association	N/A	1959-Present
Marine Corps Reserve Officers Assn.	N/A	1975-Present
Reserve Officers Association	N/A	1976-Present

Memberships: (Cont'd)

Acoustical Society of America	None	1980-Present
American Physical Society	None	1980-Present
Association of Former Intelligence Officers	None	1980-Present
American Society of Mechanical Engineers (Affiliate)	None	1980-Present
Smithsonian Associate	None	1970-Present
National Geographic Society	None	1959-Present
Army-Navy Country Club	None	1959-Present

Published writings:

List the titles, publishers and dates of any books, articles, or reports you have written.

Numerous technical, analytical and policy papers of a professional nature prepared in connection with military assignments or while serving as a government official. Illustrative examples are: Nuclear Materials Production (classified/DASA); Vulnerability & Survivability (classified/DASA); Advanced and Future Design Concepts of Nuclear Devices (classified/DASA); Foreign Nuclear Capabilities (classified/DASA); Country Intelligence Assessments for Colombia, Laos, Phillipines (classified/DIA and USMC); Quantifying the Costs and Benefits of Federal Regulations, EPA, 1979; Report to the President on Oil Pricing Practices, CEC/EOP, 1972;

Qualifications

State fully your qualifications to serve in the position to which you have been named (attach sheet)

Future employment relationships

1 Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate

Yes

2 As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your current or any previous employer, business firm, association or organization

No

3 Has anybody made you a commitment to a job after you leave government?

No

4 (a) If you have been appointed for a fixed term, do you expect to serve the full term?

I plan to serve at the pleasure of the President.

(b) If you have been appointed for an indefinite term, do you have any known limitations or your willingness or ability to serve for the foreseeable future?

No

Potential conflicts of interest

1 Describe any financial arrangements or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated

None

2 List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated

a. I am a member of the Association of Former Intelligence Officers. I plan to request transfer from regular to associate status, thus limiting my direct involvement in the Association's governmental lobbying activities.

b. I am a member of the Executive Committee of the American National Standards Institute, a not-for-profit organization. I do not perceive any actual or apparent conflicts at this time and would

Potential conflicts of interest: (Co.t'd)

expect to continue to complete my term of office.

c. I am an officer in the Marine Corps Reserve. Following consultations with the office of the Secretary of the Navy, I intend to retain my status in the Ready Reserve.

Qualifications (Cont'd)

My experience covers a range of activities and interests which appear applicable to the responsibilities entailed in this position. I have resided in Europe, Latin America and the Far East. My academic background includes studies in history, political science, economics, foreign area studies and languages, as well as specialized work in cross-cultural communications, and technical matters related to the field of nuclear energy, petroleum, and foreign intelligence. My professional work has involved me in such inter-related aspects as foreign assistance, foreign capability assessments, bi- and multi-lateral negotiations as a representative of the United States Government, and in the formulation and implementation of national federal programs having significant international implications.

3. Describe any business relationship, dealing or financial transaction (other than tax-paying) which you have had during the last 10 years with the Federal Government, whether for yourself or relatives, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

None

4. List and describe any lobbying activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation at the national level of government or for the purpose of affecting the administration and execution of national law or public policy.

None

5. Explain how you will resolve any potential conflict of interest that may be disclosed by your responses to the above items.

See answer to question 6

6. Explain how you will comply with conflict of interest laws and regulations applicable to the position for which you have been nominated. Attach a statement from the appropriate agency official indicating what those laws and regulations are and how you will comply with them.

I will seek and abide by the advice of the Office of General Counsel

DOE F. 1325.8
47-791

U.S. DEPARTMENT OF ENERGY

memorandum

DATE JUL 14 1981

REPLY TO ATTN OF GC-45

SUBJECT Statement for Senate Committee

TO Henry E. Thomas
Office of the Secretary

This is intended to serve as a statement from the designated agency ethics official of this Department, as required by question 6 (page 5) of the Statement for Completion by Presidential Nominees that you are submitting to the United States Senate Committee on Energy and Natural Resources in connection with your nomination for the position of Assistant Secretary for International Affairs. I have reviewed your Standard Form 278 (Financial Disclosure Report) and your Form DOE-460 dated May 12, 1981, and have certified that the information contained therein discloses no conflict of interest under applicable laws and regulations.

As a supervisory employee of the Department, you are prohibited by section 602(a) of the DOE Organization Act (Pub. L. 95-91) from knowingly receiving compensation from, holding any official relation with, or having any pecuniary interest in any energy concern. The term "energy concern" is defined in section 601(b) of the Act as any entity "significantly engaged in the business" of any of a variety of activities related to energy production, distribution, sale, or research and development, or any entity significantly engaged in such research and development pursuant to a DOE-funded program irrespective of whether it otherwise engages in such business. The term also includes any entity holding an interest in property from which an energy resource is commercially produced or obtained.

Further, section 208, title 18, United States Code, makes it a criminal offense for you to participate personally and substantially, as a Government employee, in any particular matter in which you have, or your spouse, minor child, partner, organization in which you are serving as officer, director, trustee, partner, or employee, or any person or organization with whom you are negotiating or have any arrangement concerning prospective employment has, a fi-

nancial interest. Accordingly, you should avoid participation in any particular matter the outcome of which could have a direct and predictable effect on any financial interests that you may have.

Please let me know if I can be of further assistance.

Ralph D. Goldenberg

Ralph D. Goldenberg
Assistant General Counsel
for Standards of Conduct

Financial statement:

1. Attach a copy of your Executive Personnel Financial Disclosure Report (SF 278).

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services and firm memberships or from former employers, clients, and customers. Amounts should be indicated by the categories established for reporting income on Form SF 278, Schedule A.

Mid-Virginia Corp., prospective capital gains income from interest in this non-public, speculative land development firm, $15,001 - $50,000

3. Are any assets pledged? (Add schedule.)

No

4. Are you currently a party to any legal action?

No

5. Have you ever declared bankruptcy?

No

6. Have you filed a Federal income tax return for each of the last 10 years? If not, please explain.

Yes

7. Has the Internal Revenue Service ever audited your Federal tax return? If so, what resulted from the audit?

No

Department of Energy
Washington, D.C. 20585

MAY 13 1981

Mr. J. Jackson Walter, Director
Office of Government Ethics
Office of Personnel Management
Washington, D.C. 20415

Dear Mr. Walter:

Enclosed, in accordance with 5 CFR §734.604(c)(2)(iii), is a copy of the Standard Form 278, "Financial Disclosure Report", filed by Henry E. Thomas incident to his proposed nomination to the position of Assistant Secretary for International Affairs, Department of Energy. A position description is attached to the report.

I have certified on the report that the information contained therein discloses no conflict of interest under applicable laws and regulations. I encountered no problems in reaching the conclusions upon which this certification is based.

Sincerely,

Thomas E Robinson

for Ralph D. Goldenberg
Assistant General Counsel
for Standards of Conduct

Enclosure:
As stated

United States of America
Office of Government Ethics

Office of Personnel Management
Washington, D.C. 20415

JUL 17 1981

Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Henry E. Thomas, who has been nominated by President Reagan for the position of Assistant Secretary for International Affairs, Department of Energy.

We have reviewed the report and have obtained advice from the Department of Energy concerning any possible conflict in light of the Department's functions and the nominee's proposed duties. Based thereon, we believe that Mr. Thomas is in compliance with applicable laws and regulations governing conflict of interest.

Sincerely,

Jackson Walter

J. Jackson Walter
Director

Enclosure

FINANCIAL [illegible] STATEMENT 0275 GD

	[X] New Entrant, Nominee, or Candidate [ ] Termination Report		MAY 12 1981
Reporting Individual's Name	Last Name: THOMAS	First Name and Middle Initial: HENRY E.	
Position for Which Filing	Title of Position: Assistant Secretary for International Affairs	Department, Agency, or Court: US Department of Energy	
Location of Present Office	Address (Number, Street, City, State and Zip Code): U.S. Environmental Protection Agency, 401 M St, SW, Wash, D.C. 20460		

Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: U.S. Senate Committee on Energy and Natural Resources SER	Do You Intend to Create a Qualified Blind Trust? [ ] Yes [X] No

Positions Held With the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: Director, Standards & Regulations Division (ANR-490), US EPA; Position held from August 1974 - May 1981

Certification: I certify that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge and belief	Signature of Reporting Individual: Henry Thomas	Date (Month, Day, Year): May 8, 1981
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that there is no conflict of interest except as otherwise indicated pursuant to applicable laws and regulations.	Signature of Designated Agency Ethics Official/Reviewing Official: Thomas E Robinson RBJ 7/14/81	Date (Month, Day, Year): May 12, 1981
Office of Government Ethics Use Only ►	Signature:	Date (Month, Day, Year):

Names of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

Mid Virginia Corp is a closely-held corporation holding title to 400 acres of partially improved real estate located near highway I-95 in Stafford County, Va. This property is not known to contain any energy resources coverd in the meaning of the DOE Act. SER

(Check box if comments are continued on the reverse side)

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INCOME AND INTERESTS IN PROPERTY

T&R

	Yes	No
Do you, your spouse, or dependent child hold any beneficial interest in a trust?	X	
If "yes", have you reported the income from the trust?		
If "yes", have you reported the assets of the trust?		
If "yes", is this trust an "excepted" trust? ... or "qualified" trust?		

	Yes	No
1 You are not required to report any liability owed to any creditor other than a bank, savings and loan association, or credit union, which is secured by real property held for investment, and which does not exceed 105% of the fair market value of the property.		✓
2 Any liability owed to any bank, savings and loan association, or credit union, which is incurred for the purchase of real property held for investment, does not exceed the purchase price of the property plus reasonable costs of acquisition.		✓
3 You do not expect to derive any financial or economic benefit from them; and		✓
4 You do not have knowledge as to the composition of such interests or liabilities?		✓

Page Number	2	Schedule A

Reporting Individual's Name: THOMAS, Henry E.

Agency Use Only

Date of Filing (Month, Day, Year): MAY 12 1981

Source (S) or Description of Spouse/Dependent Child (DC)	Identification	Income: Type of Income (✓)							Income: Category of Amount or Value (✓)									Interests in Property: Valuation of Assets (✓)							
		Dividends	Rent	Interest	Capital Gain	Exempt	Qualified Trust	Other (Specify)	None (or less than $201)	$201-$1,000	$1,001-$2,500	$2,501-$5,000	$5,001-$15,000	$15,001-$50,000	$50,001-$100,000	Over $100,000	Actual Amount Only if "Other" Specified	Date (Mo., Day, Yr.) Only if Honoraria	Valuation Method	$1,000-$15,000	$15,001-$50,000	$50,001-$100,000	$100,001-$250,000	Over $250,000
S	Public School Teacher and							Salary																	
	Interior Design Consultant																								
DC	M-L Corporate Bond Income Fund X									X									H		X				
DC	Washington & Lee Savings & Loan CD Certificate of Deposit			X						X									H		X				
	Bank of Amherst CD Certificate of Deposit			X						X									H		X				
	New York MAC Bonds			X						X									H		X				
	Mid-Virginia Corp. (Real Estate)								X										A			X			

PURCHASES, SALES, AND EXCHANGES

This schedule is applicable only in the case of annual and termination reports.

Page 3

Name of Reporting Person: THOMAS, Henry E.

Date Received: MAY 12 1981

Report Applicable Transactions, Even if Also Reported on Schedule A

Identification of Property (real and personal)	Type of Transaction			Date (Month, Day, Year)		Amount
	Purchase	Sale	Exchange	Purchase	Sale or Exchange	$1,001 to $5,000
None						

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THOMAS, Henry E.

MAY 12 1981

S	Alexandria Hospital Corp., Alexandria, VA	Payments in connection with representing the Corporation's Auxiliary before technical meetings.	$350

None

None

Reportable Individual's Name: THOMAS, HENRY E.

Agency Use Only — Date: MAY 12 1981 — Page Number: 5

LIABILITIES

Joint or DC	Name and Address of Creditor	Describe property or loan collateral, if applicable. Give date, interest rate and if applicable, term	Amount: $10,001 to $15,000	$15,001 to $50,000	$50,001 to $100,000	$100,001 to $250,000
	NONE					

POSITIONS HELD

Name and Address of Organization	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
American National Standards Institute, NY, NY	Professional	Member Exec. Committees; Executive Stnds Committee	January 1980	Present

COMPENSATION IN EXCESS OF $5,000 PAID BY ONE SOURCE This section is applicable only in the case of nominees and new entrants.

Source (Name and Address)	Brief Description of Duties
NONE	

AGREEMENTS WITH OTHER EMPLOYERS

Description of Terms of Any Agreement or Arrangement	Parties	Date (Mo., Day, Yr.)
Reserve Officer, Lieutenant Colonel, United States Marine Corp	United States Marine Corp	January 1970

AFFIDAVIT

DISTRICT OF COLUMBIA) ss

Henry E. Thomas, IV , being duly sworn, hereby states that he/she has read and signed the foregoing Statement for Completion by Presidential Nominees including the Financial Statement and that the information provided therein is, to the best of his/her knowledge and belief, current, accurate, and complete.

Henry E. Thomas, IV

Subscribe and sworn before me this 17th day of July , 1981

Notary Public

My Commission Expires 11/14/84

U.S. GOVERNMENT PRINTING OFFICE